In the High Court of Judicature at Madras

Dated: 29.11.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM

and

The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.9014 of 2004

Sri Kanchi Kamakoti Peetam
Charitable Trust, rep.by
Chief Executive Sri Jayendra Saraswathi
Institute of Medical Science
and Research,
Mr.S.Balaji,
No.3, Perumbakkam,
Chennai-601 302. ..Petitioner

..vs..

1. The State of Tamil Nadu,
   rep.by its Secretary,
   Housing & Urban Development Department,
   Fort St.George,
   Chennai-600 009.

2. The Member Secretary,
   Chennai Metropolitan
   Development Authority,
   Thalamuthu Natarajan Building,
   No.1, Gandhi Irwin Road,
   Egmore, Chennai-600 008. ..Respondents

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Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of declaration, to declare that Rule 19(b)III B of Development Control Rules as ultra vires the Tamil Nadu Town and Country Planning Act, illegal, unconstitutional and unenforceable so far as it relates to the demand of security deposit for the proposed development in so far as petitioner is concerned and consequently direct the 2nd respondent to issue planning permission to the petitioner without insisting on payment of security deposit of Rs.25,00,000/- as per Letter No.C4/33032/2003 dated 10.03.2004 on the file of the 2nd respondent.

https://hcservices.ecourts.gov.in/hcservices/

For Petitioner : No appearance

For Respondents : Mr.A.Edwin Prabhakar,
Govt.Advocate for R1

Mr.J.Ravindran for R2

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

When the above Writ petition came up for hearing on 28.11.2006, none appeared for the petitioner. In order to give one more opportunity to the petitioner, the writ petition was directed to be listed today. Even today, no one appears for the petitioner.

2. Writ petition is of the year 2004. We are of the view that no purpose will be served in keeping the same any longer. Writ petition is dismissed for default. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1. The Secretary to Government,
Housing & Urban Development Department,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.8, Gandhi Irwin Road,
Chennai-600 008.

+ 1 CC To Mr. J.Ravindran, Advocate SR NO. 58483

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